

RESOLUTION NO. RS2018-1043 (VERCHER) – This resolution would authorize the Department of Law to settle the personal injury claim of Amy and Nick Ramsey against the Metropolitan Government in the amount of \$25,000.

On December 4, 2015, Ms. Ramsey was stopped in the right lane at the traffic light heading east on Douglas Avenue at the intersection with Gallatin Pike. A tractor trailer owned by Old Dominion Freight Line was at the same intersection in the left lane. When the light turned green, both vehicles attempted to turn left. The tractor trailer swung wide, striking the car driven by Ms. Ramsey.

The driver of the truck testified he did not realize vehicles from both lanes could turn left. The original arrows and white dashed guidelines at this intersection had faded. A sign on the approach to this intersection was intact and advised drivers of the traffic pattern. In addition, the traffic light showed two left-hand green arrows to indicate the double left-hand turn lanes. However, the absence of the guidelines would likely be determined to have been a dangerous condition that contributed at least partially to the accident. Because of the extensive time required for painted white lines to fade, the Metropolitan Government could be deemed to have had constructive notice of such defects.

Ms. Ramsey sought treatment for a neck strain and low back pain. She later had an MRI that showed a pinched nerve. She underwent neck surgery on April 5, 2016 as a result.

Ms. Ramsey claims \$108,386.59 for medical expenses. She also claims damages for lost wages. In addition, Mr. Ramsey claims loss of services, consortium, companionship, and society with his wife. Mr. Ramsey was not in the vehicle at the time of the accident.

Plaintiffs have agreed to accept \$25,000 in settlement of their claims against Metro, along with \$190,000 from Old Dominion Freight Line, Inc.

The Department of Law recommends settlement of this claim for \$25,000.

Fiscal Note: This settlement would reduce the balance of the Self-Insured Liability Fund by \$25,000.